

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER GRANTING DEFENDANT’S
)	MOTION TO RECONSIDER ORDER
vs.)	OF DETENTION
)	
Erin Louise Miller,)	Case No. 1:22-cr-201
)	
Defendant.)	

Before the Court is a Motion to Reconsider Order of Detention filed by Defendant on November 28, 2022. (Doc. No. 18). Defendant is in Marshals Service custody at the Ward County Jail in Minot, North Dakota. Advising that she has been accepted into an inpatient treatment program at the Prairie Recovery Center (“Prairie Recovery”) in Raleigh, North Dakota, and that Prairie Recovery can arrange for her transport, Defendant requests to be conditionally released on November 30, 2022, so that she can travel to and participate in Prairie Recovery’s treatment program.

The Court **GRANTS** Defendant’s motion (Doc. No. 18). Defendant shall be released to a representative of Prairie Recovery no earlier than 9:00 a.m. on November 30, 2022, for immediate transport to Prairie Recovery. While on release, Defendant shall comply with the following conditions:

- (1) Defendant shall not violate federal, state, tribal, or local law while on release.
- (2) Defendant shall appear in court as required and surrender for any sentence imposed.
- (3) Defendant shall refrain from the use of alcohol; any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 or state statute, unless prescribed by a licensed medical practitioner, and any use of inhalants.

Defendant shall submit to drug/alcohol screening at the direction of the Pretrial Services Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection process or specimen may be considered the same as a positive test.

- (4) Defendant shall report to the Pretrial Services Officer at such times and in such manner as designated by the Officer.
- (5) Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
- (6) Defendant shall reside at Prairie Recovery, fully participate in its programming, and comply with all of its rules and regulations. Upon her arrival, she shall contact Pretrial Services Officer Bobby Wiseman at (701) 530-2404.
- (7) Defendant shall sign all releases of information requested by the Pretrial Services Officer so that her progress and participation in treatment may be monitored.
- (8) Defendant shall not knowingly or intentionally have any direct or indirect contact with any witnesses, except that counsel for Defendant, or counsel's agent or authorized representative, may have such contact with such person(s) as is necessary in the furtherance of Defendant's legal defense.
- (9) Defendant shall submit her person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of pretrial release. Defendant shall notify any other residents that the premises may be subject to searches pursuant to this condition.

- (10) At least four days prior to the completion of her treatment program, Defendant shall contact the Pretrial Services Office so that it may evaluate the appropriateness of any proposed living arrangements. Upon her discharge from her treatment program, Defendant shall reside at an address approved by the Pretrial Services Office and not change this address without the Pretrial Services Office's permission. If the Pretrial Services Office determines that Defendant is in need of a placement in a residential facility, Defendant shall report to the designated facility as directed and comply with the facility's rules and regulations. If a residential facility is not available, Defendant shall report the United States Marshal's office in Bismarck with the understanding that she shall be detained pending further order of the court.

IT IS SO ORDERED.

Dated this 29th day of November, 2022.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court